

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

Dr. George Richardson,	§	
Rosalie Weisfeld, Austin	§	
Justice Coalition, Coalition	§	
of Texans with Disabilities,	§	
Move Texas Civic Fund,	§	
League of Women Voters	§	
Of Texas and American GI	§	
Forum of Texas, Inc.	§	
<i>Plaintiffs,</i>	§	
	§	
v.	§	Civil Action No.: 5:19-CV-00963
	§	
Texas Secretary of State	§	
Trudy Hancock, in her official	§	
Capacity as Brazos County	§	
Elections Administrator and	§	
Perla Lara in her official	§	
Capacity as City of McAllen,	§	
Texas Secretary,	§	
<i>Defendants</i>	§	

**DEFENDANT BRAZOS COUNTY ELECTIONS ADMINISTRATOR TRUDY
HANCOCK’S**

TO THE HONORABLE JUDGE OF THIS COURT:

Defendant Brazos County Elections Administrator Trudy Hancock (hereinafter “Hancock”) files this Answer to Plaintiffs’ Original Complaint and would respectfully show the Court the following:

I. GENERAL DENIAL

1. In conformity with Rule 8(b) of the Federal Rules of Civil Procedure, Defendant Hancock generally denies the allegations contained in Plaintiffs’ Original Complaint, except as may be specifically admitted.

2. With regards to the statements contained in Paragraph Nos. 1 through 7, such paragraphs contain general assertions of law and/or argument which require no response. However, Defendant Hancock denies any allegations asserted in these paragraphs.
3. With regards to statements of law, conclusory statements and/or argument in Paragraphs Nos. 8 through 9, such paragraphs require no response. Defendant Hancock denies any allegations asserted in these paragraphs.
4. With regards to allegations contained in Paragraph Nos. 10 through 34, such paragraphs identifying the parties require no response from Defendant. However, Defendant Hancock denies that any Plaintiff is entitled to any relief sought. Further, Defendant Hancock denies that any law has been violated. Defendant is without sufficient information to admit or deny the factual allegations in these paragraphs.
5. With regards to allegations contained in Paragraph Nos. 35 through 47, Defendant Hancock admits that the statutory provisions cited from the Texas Election Code speak for themselves. Defendant Hancock is without sufficient information to admit or deny that “the SVC will perform the signature reviews rather than the EVBB” or that “SVCs are usually established in larger counties, but also appear in many smaller ones,” specifically from Paragraph No. 38. Defendant Hancock denies any other allegations asserted in these paragraphs.
6. With regards to statements of law, conclusory statements and/or argument in Paragraphs Nos. 48 through 51, such paragraphs require no response. Defendant Hancock denies any allegations asserted in these paragraphs.
7. With regards to statements of law, conclusory statements and/or argument in Count One, Paragraphs Nos. 52 through 61, such paragraphs require no response. Defendant Hancock denies all allegations asserted in these paragraphs.

8. With regards to conclusory statements and/or argument in Count Two, Paragraphs Nos. 62 through 70, such paragraphs require no response. Defendant Hancock denies any allegations and misstatements of statutory provisions asserted in these paragraphs. Statutory provisions speak for themselves
9. With regards to statements of law, conclusory statements and/or argument in Count Three, Paragraphs Nos. 71 through 74, such paragraphs require no response. Defendant Hancock denies all allegations in these paragraphs.
10. With regards to conclusory statements and/or argument in Count Four, Paragraphs Nos. 75 through 83, such paragraphs require no response. Defendant Hancock denies all allegations and misstatements of statutory provisions asserted in these paragraphs. Statutory provisions speak for themselves.
11. Further, Defendant Hancock specifically denies that Plaintiffs are entitled to any of the relief sought in this case. Specifically, all relief sought in the Prayer for Relief, Paragraph Nos. 1 through 4.

II. AFFIRMATIVE DEFENSES

1. Defendant Hancock asserts the defense of Eleventh Amendment immunity to all claims to which it applies.
2. Defendant Hancock asserts the defense of sovereign immunity to all claims to which it applies.
3. Defendant Hancock asserts that res judicata prevents recovery on Plaintiffs' claims.
4. Defendant Hancock asserts that Plaintiffs lack standing.
5. Defendant Hancock asserts that the Court lacks subject-matter jurisdiction over Plaintiffs' claims.

6. Defendant Hancock asserts that Plaintiffs have failed plead facts sufficient to state a claim upon which relief may be granted.
7. Defendant Hancock asserts that issue preclusion bars recovery on all claims to which it may apply.
8. Defendant Hancock asserts that claim preclusion bars recovery on all claims to which it may apply.
9. Defendant Hancock asserts that Plaintiffs' claims are moot.
10. Defendant Hancock asserts the affirmative defense of statute of limitations for any claims falling outside the applicable limitations period.
11. Defendant Hancock asserts that Plaintiffs have not exhausted administrative and/or statutory prerequisites to suit.
12. Defendant Hancock asserts the defense of misrepresentation.
13. Defendant Hancock reserves the right to add additional defenses and affirmative defenses to the claims alleged against her as the development of the factual circumstances in this case may warrant.

Respectfully submitted,

/s/ J. Eric Magee

J. Eric Magee

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Administrator Trudy Hancock

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of January, 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ J. Eric Magee
J. Eric Magee